



Appropriations Update

Committee on the Budget • Majority Caucus
U.S. House of Representatives
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ENERGY AND WATER APPROPRIATIONS BILL FOR FISCAL YEAR 2005 – H.R. 4614

SUMMARY

The Energy and Water appropriations bill reported to the House on 18 June 2004 (HR 4614; H.Rept.108-554) provides new budget authority equal to the 302(b) suballocation for the Appropriations Subcommittee on Energy and Water. The bill is consistent with the

appropriate levels in the budget resolution for fiscal year 2005 (S.Con.Res. 95, as applied in the House of Representatives by H.Res. 649, 108th Congress). Therefore the bill complies with provisions of the Congressional Budget Act.

COST OF THE LEGISLATION

H.R. 4614 provides \$27.988 billion in new budget authority [BA] and \$27.970 billion in outlays for 2005 – an increase of \$733 million in BA and \$1.139 billion in outlays from fiscal year 2004 (not including the Iraq conflict supplemental, Public Law 108-106) (see Table 1 below).

Budget authority increases by 2.7 percent from the previous year, and is \$982 million above the President's request. The bill does not contain any rescissions of previously enacted BA or outlays, emergency-designated new BA, or advance appropriations.

Table 1: Energy and Water Appropriations Bill
(fiscal years; millions of dollars)

	2004 Spending ^a	Administration 2005	302 (b) for 2005	Bill
Budget Authority	27,255	27,006	27,988	27,988
Outlays	26,831	26,982	27,972	27,970

^a Does not include \$3 million in BA and \$2 million in outlays included in the fiscal year 2004 Iraq conflict supplemental (Public Law 108-106).

COMPLIANCE WITH THE BUDGET RESOLUTION

The bill complies with sections 302(f) and 311(a) of the Budget Act. The first of these prohibits consideration of bills in excess of a subcommittee's 302(b) allocation for new budget authority. The second, section 311(a), prohibits consideration of legislation exceeding the aggregate levels of budget authority and outlays established in the concurrent resolution on the budget.

As noted, the \$27.988 billion in new discretionary budget authority is equal to the 302(b) allocation to the House Appropriations Subcommittee on Energy and Water. Outlays are \$2 million less than the subcommittee's outlay allocation. Because no appropriations bills for fiscal year 2004 have been enacted, there is ample room under the BA ceiling, and hence the bill would not violate section 311(a).

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This document was prepared by the majority staff of the Committee on the Budget, U.S. House of Representatives. It has not been approved by the full committee and may not reflect the views of all the committee's members.

Table 2: Discretionary Spending in the Energy and Water Appropriations Bill
(in millions of dollars)

	2004 Budget Authority ^a	2004 Outlays ^a	2005 Budget Authority	2005 Outlays	Difference BA	Difference Outlays
Corps of Engineers	4,562	4,684	4,834	4,769	272	85
Interior	946	959	970	1,009	24	50
Energy - Defense	16,303	16,570	16,744	16,704	441	134
Energy - Non Defense	5,215	4,399	5,248	5,237	33	838
Other	229	219	192	251	-37	32
Total	27,255	26,831	27,988	27,970	733	1,139
^a Does not include \$3 million in BA and \$2 million in outlays included in the fiscal year 2004 Iraq conflict supplemental (Public Law 108-106).						

DISCUSSION

The bill provides \$733 million in budget authority above 2004 spending (see Table 2 above).

Compared with 2004, spending for the Department of Energy's [DOE] defense accounts (Function 050) increased by \$441 million. This includes increases for the National Nuclear Security Program (\$371 million) and environmental and other defense programs (\$70 million).

Spending in DOE's nondefense accounts increases by a net of \$33 million. Increases in departmental administration (\$31 million) and energy programs (\$7 million) are partially offset by a \$5-million reduction in Power Marketing funds.

Spending for the Department of the Interior increases from 2004 by \$24 million. The increases are for the Bureau of Reclamation [BOR] (\$11 million), and the Central Utah Project (\$13 million). The bill does not fund the BOR's California Bay-Delta restoration, as requested by the administration, because it is not authorized. This program was not funded in 2004 for the same reason.

The bill provides the Corps of Engineers with a net of \$272 million above 2004 levels. This includes increases in construction (\$136 million), formerly utilized sites (\$51 million), general investigations (\$33 million), operations and maintenance (\$29 million), general expenses (\$8 million), Mississippi River flood control (\$3 million), flood control and coastal emergencies (\$2 million), and regulatory programs (\$1 million). These increases are partially offset

by a decrease in harbor maintenance (\$2 million). The bill focuses its spending on the completion of previously authorized Corps projects.

Other agencies funded by the bill are a net of \$37 million below the previous year. Funding is not provided for the Denali Commission (for a savings of \$55 million) because the agency has not complied with requirements to provide a detailed budget justification. Spending is reduced for the Appalachian Regional Commission (\$27 million), and the Delta Regional Authority (\$3 million). These reductions are offset by increased spending for the Nuclear Regulatory Commission (\$48 million).

Relative to the President's request, the bill increases BA by a net of \$982 million. These increases include the Corps of Engineers (\$923 million, principally \$549 million in construction and \$204 million in operations and maintenance), DOE energy programs (\$151 million), and the Department of the Interior (\$78 million, largely due to a \$76-million increase for the Bureau of Reclamation).

These increases are offset by decreases in DOE defense accounts (\$54 million) and departmental administration (\$18 million), as well as Corps flood control and other coastal emergencies (\$49 million), and regulatory programs (\$10 million), as well as \$39-million from other programs. The bill also includes \$131 million in defense nuclear waste disposal funds to build a nuclear waste repository at Yucca Mountain, Nevada.

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